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**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:09-cv-02084-RMU**

ELECTRONIC PRIVACY INFORMATION CENTER v. THE	Date Filed: 11/05/2009
UNITED STATES DEPTMENT OF HOMELAND SECURITY	Date Terminated: 11/22/2011
Assigned to: Judge Ricardo M. Urbina	Jury Demand: None
Member case: (View Member Case)	Nature of Suit: 895 Freedom of
Cause: 05:552 Freedom of Information Act	Information Act
	Jurisdiction: U.S. Government Defendant

Plaintiff

**ELECTRONIC PRIVACY
INFORMATION CENTER**

represented by **John Arthur Verdi**
ELECTRONIC PRIVATE
INFORMATION CENTER
1718 Connecticut Avenue, NW
Suite 200
Washington, DC 20009
(202) 483-1140
Fax: (202) 483-1248
Email: verdi@epic.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Marc Rotenberg
ELECTRONIC PRIVATE
INFORMATION CENTER
1718 Connecticut Avenue, NW
Suite 200
Washington, DC 20009-1148
(202) 483-1140, ext 106
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT OF
HOMELAND SECURITY**

represented by **Jesse Z. Grauman**
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
20 Massachusetts Avenue, NW
Washington, DC 20001
(202) 514-2849
Fax: (202) 305-8517
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LEAD ATTORNEY
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John Arthur Verdi
(See above for address)
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Carlotta Poter Wells
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/05/2009	<u>1</u>	COMPLAINT against THE UNITED STATES DEPTMENT OF HOMELAND SECURITY (Filing fee \$ 350, receipt number 4616025213) filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Civil Cover Sheet)(dr) (Entered: 11/06/2009)
11/05/2009		SUMMONS (3) Issued as to THE UNITED STATES DEPTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (dr) (Entered: 11/06/2009)
11/05/2009	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by ELECTRONIC PRIVACY INFORMATION CENTER (dr) (Entered: 11/06/2009)

01/06/2010	3	NOTICE of Appearance by Marc Rotenberg on behalf of ELECTRONIC PRIVACY INFORMATION CENTER (Rotenberg, Marc) (Entered: 01/06/2010)
01/08/2010	4	AFFIDAVIT FOR DEFAULT by ELECTRONIC PRIVACY INFORMATION CENTER. (Verdi, John) (Entered: 01/08/2010)
01/11/2010		NOTICE OF ERROR re 4 Affidavit for Default; emailed to verdi@epic.org, cc'd 2 associated attorneys -- The PDF file you docketed contained errors: 1. Proof of service is required before default can be entered; please file proof of service. (znmw,) (Entered: 01/11/2010)
01/12/2010	5	SUMMONS Returned Executed by ELECTRONIC PRIVACY INFORMATION CENTER. UNITED STATES DEPARTMENT OF HOMELAND SECURITY served on 11/12/2009, answer due 12/12/2009. (Attachments: # 1 Exhibit Exhibit 1) (Verdi, John) (Entered: 01/12/2010)
01/12/2010	6	SUMMONS Returned Executed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # 1 Exhibit Exhibit 1)(Verdi, John) (Entered: 01/12/2010)
01/12/2010	7	SUMMONS Returned Executed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # 1 Exhibit Exhibit 1)(Verdi, John) (Entered: 01/12/2010)
01/12/2010	8	NOTICE of Appearance by Jesse Z. Grauman on behalf of UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Grauman, Jesse) (Entered: 01/12/2010)
01/12/2010	9	MOTION for Extension of Time to File Answer re 1 Complaint <i>and Notice in Opposition to Entry of Default</i> by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # 1 Text of Proposed Order)(Grauman, Jesse) (Entered: 01/12/2010)
01/14/2010	10	Memorandum in opposition to re 9 MOTION for Extension of Time to File Answer re 1 Complaint <i>and Notice in Opposition to Entry of Default</i> filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit Exhibit 1, # 3 Exhibit Exhibit 2)(Verdi, John) (Entered: 01/14/2010)
01/15/2010	11	REPLY to opposition to motion re 9 MOTION for Extension of Time to File Answer re 1 Complaint <i>and Notice in Opposition to Entry of Default</i> filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Grauman, Jesse) (Entered: 01/15/2010)
01/15/2010	12	ANSWER to 1 Complaint by UNITED STATES DEPARTMENT OF HOMELAND SECURITY.(Grauman, Jesse) (Entered: 01/15/2010)

01/15/2010	<u>13</u>	RESPONSE re <u>4</u> Affidavit for Default filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (See Docket Entry <u>11</u> to view document). (znmw,) (Entered: 01/19/2010)
01/21/2010	<u>14</u>	STANDING ORDER Signed by Judge Ricardo M. Urbina on 1/21/2010. Read the Standing Order carefully, it will govern this case. Failure to follow the Standing Order will result in sanctions.(tg,) (Entered: 01/21/2010)
02/02/2010		MINUTE ORDER. The parties shall file a joint status report on or before 02/16/2010 setting forth a proposed schedule to govern these proceedings. SO ORDERED. Signed by Judge Ricardo M. Urbina on 02/02/2010. (lcrmu1) (Entered: 02/02/2010)
02/03/2010		Set/Reset Deadlines/Hearings: Joint Status Report due on or before 2/16/2010. (tg,) (Entered: 02/03/2010)
02/16/2010	<u>15</u>	STATUS REPORT <i>and Proposed Schedule</i> by ELECTRONIC PRIVACY INFORMATION CENTER, UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Grauman, Jesse) (Entered: 02/16/2010)
02/24/2010		MINUTE ORDER. Pursuant to the parties' joint status report and proposed schedule, the following schedule shall govern these proceedings: the defendant's production of documents shall be completed on or before March 2, 2010, March 15, 2010 and April 15, 2010; the defendant's motion for summary judgment shall be filed on or before May 27, 2010; the plaintiff's opposition to the defendant's motion for summary judgment and cross-motion for summary judgment shall be filed on or before June 28, 2010; the defendant's reply in support of the defendant's motion for summary judgment and opposition to the plaintiff's cross-motion for summary judgment shall be filed on or before July 12, 2010; and the plaintiff's reply in support of the plaintiff's cross-motion for summary judgment shall be filed on or before July 26, 2010. SO ORDERED. Signed by Judge Ricardo M. Urbina on 02/24/2010. (lcrmu1) (Entered: 02/24/2010)
02/25/2010		Set/Reset Deadlines: Defendant's Production of Documents due on or before 3/2/2010, 3/15/2010 and 4/15/2010. Defendant's Motion for Summary Judgment due on or before 5/27/2010. Plaintiff's Opposition to Motion for Summary Judgment and Cross-Motion due by 6/28/2010. Defendant's Reply to Opposition to Motion for Summary Judgment and Opposition to the Cross-Motion due on or before 7/12/2010. Plaintiff's Reply in Support of the Plaintiff's Cross-Motion due on or before 7/26/2010. (tg,) (Entered: 02/25/2010)
03/11/2010	<u>16</u>	Joint MOTION to Consolidate Cases by ELECTRONIC PRIVACY INFORMATION CENTER, UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order)(Grauman, Jesse) (Entered: 03/11/2010)

03/11/2010	17	NOTICE OF RELATED CASE by ELECTRONIC PRIVACY INFORMATION CENTER, UNITED STATES DEPARTMENT OF HOMELAND SECURITY. Case related to Case No. 1:10cv63. (Attachments: # 1 Exhibit)(Grauman, Jesse) (Entered: 03/11/2010)
03/17/2010		MINUTE ORDER granting 16 the parties' joint motion to consolidate. It is hereby ORDERED that EPIC v. Dep't of Homeland Security, Civil Action No. 10-0063 (CKK) is consolidated with Civil Action No. 09-2084 (RMU); and it is FURTHER ORDERED that all submissions shall be filed in Civil Action No. 09-2084 (RMU); and it is ORDERED that this court's February 24, 2010 scheduling order in EPIC v. Dep't of Homeland Security, Civil Action No. 09-2084 (RMU), shall govern both consolidated actions. SO ORDERED. Signed by Judge Ricardo M. Urbina on 03/17/2010. (lcrmu1) (Entered: 03/17/2010)
05/27/2010	18	MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # 1 Declaration Declaration of Kevin J. Janet and Exhibits, # 2 Declaration Declaration of Mark Roberts, # 3 Text of Proposed Order Proposed Order)(Grauman, Jesse) (Entered: 05/27/2010)
06/28/2010	19	Memorandum in opposition to re (18 in 1:09-cv-02084-RMU) MOTION for Summary Judgment filed by ELECTRONIC PRIVACY INFORMATION CENTER, UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Attachments: # 1 Text of Proposed Order, # 2 Statement of Facts, # 3 Statement of Facts)Associated Cases: 1:09-cv-02084-RMU, 1:10-cv-00063-RMU(Verdi, John) (Entered: 06/28/2010)
06/28/2010	20	MOTION for Summary Judgment, MOTION for Hearing by ELECTRONIC PRIVACY INFORMATION CENTER. (See Docket Entry 19 to view document. Counsel is reminded to file the motion as a separate docket entry in future). (znmw,) (Entered: 06/29/2010)
07/12/2010	21	REPLY to opposition to motion re 18 MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Attachments: # 1 Exhibit Exhibit A)(Grauman, Jesse) (Entered: 07/12/2010)
07/12/2010	22	Memorandum in opposition to re 20 MOTION for Summary Judgment MOTION for Hearing filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Attachments: # 1 Exhibit Exhibit A)(Grauman, Jesse) (Entered: 07/12/2010)
07/26/2010	23	REPLY to opposition to motion re 20 MOTION for Summary Judgment MOTION for Hearing filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Verdi, John) (Entered: 07/26/2010)

08/10/2010		MINUTE ORDER. Good cause having been shown, it is hereby ORDERED that the defendant's 9 motion for extension of time to answer or otherwise respond to the complaint is GRANTED. SO ORDERED. Signed by Judge Ricardo M. Urbina on 08/10/2010. (lcrmu1) (Entered: 08/10/2010)
01/12/2011	24	ORDER granting 18 the defendant's motion for summary judgment and denying the plaintiff's motion for summary judgment 20 . SO ORDERED. Signed by Judge Ricardo M. Urbina on 1/12/11.(lcrmu1) (Entered: 01/12/2011)
01/12/2011	25	MEMORANDUM OPINION granting 18 the defendant's motion for summary judgment and denying the plaintiff's motion for summary judgment 20 . SO ORDERED. Signed by Judge Ricardo M. Urbina on 1/12/11.(lcrmu1) (Entered: 01/12/2011)
01/12/2011		MINUTE ORDER. It is hereby ORDERED that the plaintiff's motion for attorney's fees, if any, shall be due by January 21, 2011; any opposition shall be due on January 28, 2011; and replies shall be due by February 4, 2011. SO ORDERED. Signed by Judge Ricardo M. Urbina on 1/12/11.(lcrmu1) (Entered: 01/12/2011)
01/12/2011		Set/Reset Deadlines: Plaintiff's motion for attorney's fees due by 1/21/2011. Opposition due by 1/28/2011. Reply to opposition due by 2/4/2011. (tg,) (Entered: 01/12/2011)
01/21/2011	26	MOTION for Attorney Fees by ELECTRONIC PRIVACY INFORMATION CENTER (Attachments: # 1 Affidavit, # 2 Affidavit, # 3 Affidavit, # 4 Exhibit Exhibit 1, # 5 Exhibit Exhibit 2, # 6 Exhibit Exhibit 3, # 7 Exhibit Exhibit 4, # 8 Exhibit Exhibit 5, # 9 Exhibit Exhibit 6, # 10 Exhibit Exhibit 7, # 11 Exhibit Exhibit 8, # 12 Exhibit Exhibit 9, # 13 Exhibit Filing Fee Receipt 1, # 14 Exhibit Filing Fee Receipt 2)Associated Cases: 1:09-cv-02084-RMU, 1:10-cv-00063-RMU(Verdi, John) (Entered: 01/21/2011)
01/24/2011	27	NOTICE of Proposed Order by ELECTRONIC PRIVACY INFORMATION CENTER re (14 in 1:10-cv-00063-RMU) MOTION for Attorney Fees Associated Cases: 1:09-cv-02084-RMU, 1:10-cv-00063-RMU(Verdi, John) (Entered: 01/24/2011)
01/24/2011	28	ERRATA by ELECTRONIC PRIVACY INFORMATION CENTER (14 in 1:10-cv-00063-RMU, 26 in 1:09-cv-02084-RMU) MOTION for Attorney Fees filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # 1 Exhibit Corrected Motion for Fees, # 2 Exhibit Proposed Order, # 3 Exhibit Exhibit 1, Corrected Bill, # 4 Exhibit Exhibit 2, # 5 Exhibit Exhibit 3, # 6 Exhibit Exhibit 4, # 7 Exhibit Exhibit 5, # 8 Exhibit Exhibit 6, # 9 Exhibit Exhibit 7, # 10 Exhibit Exhibit 8, # 11 Exhibit Exhibit 9, # 12 Exhibit Exhibit 10, # 13 Exhibit Exhibit 11, # 14 Affidavit Rotenberg Affidavit, Corrected, # 15 Affidavit Verdi Affidavit, Corrected, # 16 Affidavit McCall Affidavit, Corrected)Associated Cases: 1:09-cv-02084-RMU, 1:10-cv-00063-RMU(Verdi, John) (Entered: 01/24/2011)

01/28/2011	29	Memorandum in opposition to re 26 MOTION for Attorney Fees <i>and Costs</i> filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Attachments: # 1 Exhibit Exhibit A: Email by Jesse Grauman, # 2 Exhibit Exhibit B: Email by John Verdi, # 3 Exhibit Exhibit C: Notice of Acceptance of Offer of Judgment, EPIC v. DOJ, # 4 Exhibit Exhibit D: Privacy Impact Assessment, January 2008, # 5 Exhibit Exhibit E: Federal Register Excerpt, # 6 Exhibit Exhibit F: EPIC FOIA Request, # 7 Exhibit Exhibit G: Privacy Impact Assessment, October 2008, # 8 Exhibit Exhibit H: Pennsylvania Bar Records, # 9 Exhibit Exhibit I: Complaint, EPIC v FTC, # 10 Exhibit Exhibit J: Complaint, EPIC v. DOJ)(Grauman, Jesse) (Entered: 01/28/2011)
02/04/2011	30	MOTION for Leave to File <i>Amended Motion for Fees</i> by ELECTRONIC PRIVACY INFORMATION CENTER (Attachments: # 1 Text of Proposed Order, # 2 Amended Motion for Fees, # 3 Text of Proposed Order, # 4 Exhibit Exhibit 1, # 5 Exhibit Exhibit 2, # 6 Exhibit Exhibit 3, # 7 Exhibit Exhibit 4, # 8 Exhibit Exhibit 5, # 9 Exhibit Exhibit 6, # 10 Exhibit Exhibit 7, # 11 Exhibit Exhibit 8, # 12 Exhibit Exhibit 9, # 13 Exhibit Exhibit 10, # 14 Exhibit Exhibit 11, # 15 Affidavit Rotenberg Aff, # 16 Affidavit Verdi Aff, # 17 Affidavit McCall Aff)(Verdi, John) (Entered: 02/04/2011)
02/04/2011	31	REPLY to opposition to motion re 26 MOTION for Attorney Fees filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Verdi, John) (Entered: 02/04/2011)
02/11/2011	32	Memorandum in opposition to re 30 MOTION for Leave to File <i>Amended Motion for Fees and Costs</i> filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Attachments: # 1 Exhibit Exhibit A)(Grauman, Jesse) (Entered: 02/11/2011)
02/18/2011	33	REPLY to opposition to motion re 30 MOTION for Leave to File <i>Amended Motion for Fees</i> filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Verdi, John) (Entered: 02/18/2011)
03/24/2011	34	MOTION for Reconsideration re 25 Memorandum & Opinion by ELECTRONIC PRIVACY INFORMATION CENTER (Attachments: # 1 Text of Proposed Order) (Verdi, John) (Entered: 03/24/2011)
03/30/2011	35	Unopposed MOTION for Extension of Time to File Response/Reply to <i>Plaintiff's Motion for Reconsideration</i> by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # 1 Text of Proposed Order)Associated Cases: 1:09-cv-02084-RMU, 1:10-cv-00063-RMU(Wells, Carlotta) (Entered: 03/30/2011)
04/18/2011	36	Memorandum in opposition to re 34 MOTION for Reconsideration re 25 Memorandum & Opinion filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Grauman, Jesse) (Entered: 04/18/2011)

04/25/2011	37	REPLY to opposition to motion re (34 in 1:09-cv-02084-RMU) MOTION for Reconsideration re (25) Memorandum & Opinion filed by ELECTRONIC PRIVACY INFORMATION CENTER. Associated Cases: 1:09-cv-02084-RMU, 1:10-cv-00063-RMU(Verdi, John) (Entered: 04/25/2011)
09/12/2011	38	ORDER denying as moot 30 the plaintiff's motion for leave to file; denying 34 the plaintiff's motion for relief upon reconsideration; granting in part and denying in part 26 the plaintiff's motion for attorney's fees and costs. Signed by Judge Ricardo M. Urbina on 9/12/11.(lcrmu1) (Entered: 09/12/2011)
09/12/2011	39	MEMORANDUM OPINION denying as moot 30 the plaintiff's motion for leave to file; denying 34 the plaintiff's motion for relief upon reconsideration; granting in part and denying in part 26 the plaintiff's motion for attorney's fees and costs. Signed by Judge Ricardo M. Urbina on 9/12/11. (lcrmu1) (Entered: 09/12/2011)
09/12/2011		MINUTE ORDER granting 35 the defendant's motion for extension of time to file a response/reply to the plaintiff's motion for relief upon reconsideration. Signed by Judge Ricardo M. Urbina on 9/12/11, nunc pro tunc 3/30/11.(lcrmu1) (Entered: 09/12/2011)

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